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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/564,848	01/13/2006	Ku-Bong Min	2080-3483	2342
35884 7590 10/23/2008 LEE, HONG, DEGERMAN, KANG & WAIMEY 660 S. FIGUEROA STREET Suite 2300 LOS ANGELES, CA 90017				
EXAMINER				
KEEHN, RICHARD G				
ART UNIT		PAPER NUMBER		
2456				
MAIL DATE		DELIVERY MODE		
10/23/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/564,848

**Applicant(s)**

MIN ET AL.

**Examiner**

Richard G. Keehn

**Art Unit**

2456

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 September 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 21, 23-27 and 29-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21, 23-27 and 29-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

**Claims 21, 23-27 and 29-33 have been examined and are pending.**

**Claims 1-20, 22, 28 and 34-38 have been cancelled.**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/17/2008 has been entered.

***Response to Arguments***

2. Applicant's amendments and arguments, see Pages 13-15, filed 7/10/2008, with respect to 35 U.S.C.112 have been fully considered and are persuasive in part; and not persuasive in part. The original rejection of claims 21-26, 28-29, 34-36 and 38 has been withdrawn, but a new rejection arises (see below).
3. Examiner acknowledges changes made to the specification as described in Pages 6-13 of Applicant's arguments.
4. Applicant's arguments with respect to the 35 U.S.C. 103(a) rejection of claims 21-38 have been considered but are not persuasive. The cited prior art discloses the amended claims. See rejections of remaining claims below for details.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 21 and 26 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The added material which is not supported by the original disclosure is as follows:

- The limitation “a **local** network” in Claims 21 and 26 is not described in the specification or drawings;
- The limitation “when a particular operation for content being played is requested” in Claims 21 and 26 is not described in the specification or drawings;

***Claim Rejections - 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

7. Claims 21, 23-27 and 29-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2003/0046338 A1 (Runkis) in view of US 5,751,338 (Ludwig, Jr.).

As to Claim 21, Runkis discloses an invention substantially as claimed, including a method for delivering content playback related information between devices on a local network, the method comprising:

Obtaining, when a particular operation for content being played is requested, state information from at least two services involved in the playback of the content, the state information comprising information related to data transport control of the content and information related to rendering states in which data of the content is rendered (Runkis, Page 7, ¶ [0078] recites the user requesting to continue playback of a movie which includes the rendering state of where the user stopped watching previously and data content control of where to restart the audio and video playback content services);

invoking an action to a device to store the state information in the device (Runkis, Page 6, ¶ [0072] recites user-generated data files being stored in a non-volatile storage medium),

wherein the state information is included in the action as an input argument (Runkis, Page 4, ¶ [0049] recites the use of multiple PANO objects which are a superobject encompassing both software and hardware. Page 5, ¶ [0065] recites that the PANO monitors, controls and regulates data transfers across a network. Page 6, ¶ [0073] recites that the server in this PANO network is the central controller's database, wherein the user's preference codes are transferred as an input argument to the central controller); and

storing the state information in the device according to the action (Runkis, Page 6, ¶ [0073] recites user-generated data files being stored in the central controller's database).

Runkis does not disclose, but Ludwig, Jr. discloses an invention substantially as claimed, including on a local network (Ludwig, Jr. – Column 2, lines 54-61 recite multimedia communications carried out on a local area network).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine LAN taught by Ludwig, Jr., with delivering content playback related information between devices taught by Runkis.

One of ordinary skill in the art at the time the invention was made would have been motivated to offer flexible rendering on existing low cost hardware using current technology (Ludwig, Jr. – Column 2, lines 54-59).

As to Claim 23, the combination of Runkis and Ludwig, Jr. discloses an invention substantially as claimed, including the method of claim 21, wherein the at least two services (Page 3, ¶ [0039] recites that services may include audio, video, games, etc. at least two of which contain video content to be transported and rendered) each comprises each of:

An AVTransport service (Runkis, Page 7, ¶ [0078] recites services being audio and video services); and

a Rendering Control service (Runkis, Page 7, ¶ [0078] recites a service for rendering control of watching a feature movie).

As to Claim 24, the combination of Runkis and Ludwig, Jr. discloses an invention substantially as claimed, including the method of claim 21, wherein the stored state information includes information used as control information for late playback of a content from a position where playback of the content is stopped (Runkis, Page 7, ¶ [0078] recites a service being capable of storing the state of playback, and retrieving and rendering at a different location from the point in the rendering where playback was interrupted; Page 7, ¶ [0078] recites the rendering state being captured for the restart of rendering at another location).

As to Claim 25, the combination of Runkis and Ludwig, Jr. discloses an invention substantially as claimed, including the method of claim 21, wherein the device includes the at least two services (Runkis, Page 7, ¶ [0078] recites a service being an audio/visual service and rendering control of watching a feature movie; Page 3, ¶ [0039] recites that services may include audio, video, games, etc. at least two of which contain video content to be transported and rendered).

As to Claim 26, Runkis discloses an invention substantially as claimed, including a system for delivering content playback related information, the system embedded in a local network, the system comprising:

a server for storing content (Runkis, Page 6, ¶ [0072] recites the use of the central controller's database as serving multiple PANOs.);

a device including at least one service (Runkis, Page 7, ¶ [0078] recites a service being an audio/visual service and rendering control of watching a feature movie; Page 3, ¶ [0039] recites that services may include audio, video, games, etc. at least two of which contain video content to be transported and rendered); and

a control point for controlling the server and the device (Runkis, Page 6, ¶ [0073] recites the PANO controlling the central controller server and rendering device),

wherein the control point:

obtains, when a particular operation for content being played is requested, state information from at least two services involved in the playback of the content, the at least two services comprising the at least one service, and the state information comprising information related to data transport control of the content and information related to rendering states in which content data is rendered (Runkis, Page 7, ¶ [0078] recites the user requesting to continue playback of a movie which includes the rendering state of where the user stopped watching previously and data content control of where to restart the audio and video playback content services); and

invokes an action to the server to store the state information in the server (Runkis, Page 6, ¶ [0072] recites user-generated data files being stored in a non-volatile storage medium, invoked by the PANO),

wherein the state information is included in the action as an input argument (Runkis, Page 4, ¶ [0049] recites the use of multiple PANO objects which are a superobject encompassing both software and hardware. Page 5, ¶ [0065] recites that the PANO monitors, controls and regulates data transfers across a network. Page 6, ¶



[0073] recites that the server in this PANO network is the central controller's database, wherein the user's preference codes are transferred as an input argument to the central controller)

Runkis does not disclose, but Ludwig, Jr. discloses an invention substantially as claimed, including embedded in a local network (Ludwig, Jr. – Column 2, lines 54-61 recite multimedia communications carried out on a local area network).

The motivation and obviousness arguments are the same as in Claim 21.

As to Claim 27, the combination of Runkis and Ludwig, Jr. discloses an invention substantially as claimed, including the system of claim 26, wherein the server stores the state information according the action (Runkis, Page 6, ¶ [0073] recites the central controller's database storing information according to the request of the PANO).

As to Claim 29, the combination of Runkis and Ludwig, Jr. discloses an invention substantially as claimed, including the system of claim 26, wherein the at least two services (Page 3, ¶ [0039] recites that services may include audio, video, games, etc. at least two of which contain video content to be transported and rendered) each comprise at least both of:

an AVTransport service (Runkis, Page 7, ¶ [0078] recites a service being audio and video rendering services for of watching a feature movie): and

a Rendering Control service (Runkis, Page 7, ¶ [0078] recites a service for controlling the watching of a movie).

As to Claim 30, the combination of Runkis and Ludwig, Jr. discloses an invention substantially as claimed, including the system of claim 29, wherein the server includes the AVTransport service and the device includes the Rendering Control service (Runkis, Page 6, ¶¶ [0072-0074] describe a system wherein a home computer, which is capable of supporting the transport of AV signals to remote rendering devices which render images and sound, through the use of the PANO superobject and network).

As to Claim 31, the combination of Runkis and Ludwig, Jr. discloses an invention substantially as claimed, including the system of claim 29, wherein the device includes both the AVTransport service and the Rendering Control service (Runkis, Page 6, ¶¶ [0072-0074] describe the PANO, which is an object of hardware and software capable of transporting AV signals and rendering images and sound).

As to Claim 32, the combination of Runkis and Ludwig, Jr. discloses an invention substantially as claimed, including the system of claim 27, wherein the state information stored in the server includes information used as control information for late playback of the content from a position where playback of the content is stopped (Runkis, Page 13, ¶ [0164] recites an example of starting to watch a movie on one PANO in a hotel room, stopping playback, and resuming playback where she left off on a flight PANO; Page 7, ¶ [0078] recites the rendering state being captured for the restart of rendering at another location).

As to Claim 33, the combination of Runkis and Ludwig, Jr. discloses an invention substantially as claimed, including the system of claim 27, further comprising a second control point for reading the state information stored in the server and setting the read state information to a second device (Runkis, Page 6, ¶ [00764] recites the retrieval of playback information from the central server via data files to a second PANO).

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These include:

US 2005/0262217 A1	Contents linkage information delivery system
US 2003/0206728 A1	Information recording method, information recording medium, information playback method, and information playback apparatus
US 2003/0142956 A1	SIGNAL RECORD/PLAYBACK APPARATUS AND METHOD FEATURING INDEPENDENT RECORDING AND PLAYBACK PROCESSING
US 2002/0165987 A1	Digital contents watching method and its system
US 2004/0198217 A1	Follow-me broadcast reception method and system
US 2004/0003073 A1	Method, system, and computer program product for managing controlled residential or non-residential

environments

US 2003/0133558 A1      **MULTIPLE CALL WAITING IN A PACKETIZED  
COMMUNICATION SYSTEM**

US 5,867,494 A          System, method and article of manufacture with  
integrated video conferencing billing in a  
communication system architecture

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard G. Keehn whose telephone number is 571-270-5007. The examiner can normally be reached on Monday through Thursday, 9:00am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RGK

/Dohm Chankong/  
Examiner, Art Unit 2452